

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of SUMMER MELINDA MIKULA,
Minor.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

UNPUBLISHED
March 2, 2006

Petitioner-Appellee,

v

AUTUMN MELINDA PLOUFFE,

No. 264809
Oakland Circuit Court
Family Division
LC No. 04-694367-NA

Respondent-Appellant,

and

JOHN MICHAEL MIKULA,

Respondent.

Before: Borrello, P.J., and Sawyer and Fitzgerald, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right the trial court order terminating her parental rights to the minor child under MCL 712A.19b(3)(a)(ii), (c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo Minors*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The evidence clearly demonstrated that, because respondent had completely abandoned her child for over one year, the statutory grounds for termination were supported. During the year her child was in foster care, respondent did absolutely nothing to regain custody of her daughter. Respondent chose not to visit her or contact petitioner to cooperate with services and court orders because of her addiction to heroin. Respondent failed to acknowledge or demonstrate any understanding of the affect her sudden and prolonged desertion had on her child. The child experienced severe trauma, not only from respondent's abandonment of her, but from respondent's inclusion of the child in her criminal activity and buying of drugs. Moreover, respondent's plan to turn three

years of criminal activity and drug addiction around in three months was unrealistic and there was no evidence to support her claim. The evidence was clear and convincing and supported the termination of respondent's parental rights.

Affirmed.

/s/ Stephen L. Borrello
/s/ David H. Sawyer
/s/ E. Thomas Fitzgerald